

ORIGINAL

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| IN RE: | : | Chapter 7 |
| | : | |
| Richard S. Ross, | : | |
| | : | |
| Debtor, | : | |
| | : | |
| | : | |
| Gerald S. Lepre, Jr. and Jessica L. Weiss, | : | |
| | : | |
| Plaintiff(s)/Third Party(s), | : | |
| | : | |
| Vs. | : | |
| | : | |
| Richard S. Ross, | : | |
| | : | |
| Defendant. | : | Bankruptcy No. <u>18-22598-JAD</u> |

RESPONSE TO MOTION FOR RELIEF FROM AUTOMATIC STAY

AND NOW COMES, the Plaintiff(s)/Third Party(s), Gerald S. Lepre, Jr. and Jessica L. Weiss, by and through themselves, who assert the following in support hereof:

1. DENIED. The allegations contained in paragraph 1 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.
2. DENIED. The allegations contained in paragraph 2 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient

information or knowledge so as to form a belief to the truth of the matters asserted.

Strict proof to the contrary is therefore demanded at the time of trial.

By way of further answer and without waiving the preceding denial aforesaid, Gerald S. Lepre, Jr. and Jessica L. Weiss are the owners of the property at 1922 Kenneth Avenue, Arnold, Westmoreland County, Pennsylvania 15068. Strict proof to the contrary is therefore demanded at the time of trial.

3. DENIED. The allegations contained in paragraph 3 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.

4. DENIED. The allegations contained in paragraph 4 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.

5. DENIED. The allegations contained in paragraph 5 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.

6. DENIED. The allegations contained in paragraph 6 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief

of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted.

Strict proof to the contrary is therefore demanded at the time of trial.

7. DENIED. The allegations contained in paragraph 7 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted.

Strict proof to the contrary is therefore demanded at the time of trial.

8. ADMITTED. The allegations contained in paragraph 8 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay rely on filed documentation, which speaks for itself.

By way of further answer, Plaintiffs assert the property is worth the amount the bought it for from the Debtor and Berkshire and the value identified by the movant of \$86,349.82 is unrealistic due to condition and nature of the location of the property.

9. DENIED. The allegations contained in paragraph 9 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted.

Strict proof to the contrary is therefore demanded at the time of trial.

10. DENIED. The allegations contained in paragraph 10 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient

information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.

11. ADMITTED. The allegations contained in paragraph 11 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay rely on filed documentation, which speaks for itself. By way of further answer, the stay should remain based on fact and law considering Creditors, as well as, Debtors are afforded the same protection in bankruptcy proceedings.

12. ADMITTED. The allegations contained in paragraph 12 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay are admitted.

By way of further answer, Plaintiffs maintain equity and are the owners of the property.

13. DENIED. The allegations contained in paragraph 13 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient information or knowledge so as to form a belief to the truth of the matters asserted. Strict proof to the contrary is therefore demanded at the time of trial.

14. ADMITTED. The allegations contained in paragraph 14 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay are admitted.

15. DENIED. The allegations contained in paragraph 15 of PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay is denied as stated and Plaintiffs are without sufficient

information or knowledge so as to form a belief to the truth of the matters asserted.

Strict proof to the contrary is therefore demanded at the time of trial.

WHEREFORE, Gerald S. Lepre, Jr. and Jessica L. Weiss, respectfully request this Honorable Court deny movant PROF-2014-S2 LEGAL Title Trust II, by U.S. Bank National Association, as legal Title Trustee's Motion for Relief of the Automatic Stay. Grant such other relief this Honorable Court deems just and proper considering the circumstances of this case.

Respectfully submitted:

/s/ Gerald S. Lepre, Jr.

Gerald S. Lepre, Jr.

/s/ Jessica L. Weiss

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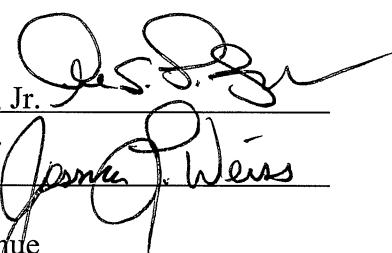
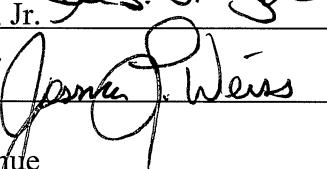
CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of December, 2018, the Response to Motion for Relief from Automatic Stay was served by email and first-class mail, upon the following:

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